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May 2, 2014

VIA ECF

Honorable Katherine S. Hayden, U.S.D.J.
United States District Court
United States Post Office & Courthouse
1 Federal Square
Newark, NJ 07102

Re: NXIVM v. The Ross Institute, et al.; Docket No. 06-cv-01051 (KSH) (MF)

Dear Judge Hayden:

I write in response to Mr. McGuire's letter of May 1, 2014 [Docket #556], and once again to join the position asserted by Mr. Falzone, counsel of record for Kristin Keffe [Docket #557].

I also find myself having to reaffirm my April 29, 2014 representation to the Court [Docket #554] that neither I nor Lowenstein Sandler has received a single document or other type of "NXIVM materials" from Ms. Keffe. I renewed that representation during a conference call with Judge Falk on May 1, 2014. Nevertheless, in his May 1, 2014 letter, which states again that I might be in possession of NXIVM materials, Mr. McGuire holds me capable of twice lying to the Court. While I find his accusation highly offensive, in an attempt finally to put that question to rest, I attach a declaration sworn under penalty of perjury.

On behalf of my client, Rick Ross, I have previously requested the Court's permission to dismiss his claim against Ms. Keffe, with prejudice [Docket #548]; on behalf of NXIVM, Mr. McGuire opposed that application [Docket #550], although it is unclear what if any legal standing a party has to oppose the dismissal of claims against another party. Now, Mr. McGuire makes the extraordinary request that the Court "refrain from ruling" on Ms. Keffe's fully-briefed motion for summary judgment against Mr. Ross [Docket #525]. On behalf of Mr. Ross, I hereby withdraw his opposition [Docket #536] to Ms. Keffe's motion. That motion for summary judgment now stands unopposed. I respectfully request the Court grant it without further delay.

Mr. McGuire's remarkable requests tacitly reveal NXIVM's panic. I do not know what Ms. Keffe has; I do not know where she is. NXIVM, however, knows that Ms. Keffe is perhaps the one person who possesses sufficient knowledge and evidence to drive a stake through its heart. But that internecine dispute between NXIVM and its former acolyte has no place in this Court. I respectfully request that the Court decline NXIVM's attempts (i) further to burden this protracted litigation, and (ii) to make this Court NXIVM's policeman.

Honorable Katherine S. Hayden U.S.D.J.

May 2, 2014

Respectfully submitted,

/s/ Peter L. Skolnik

Peter L. Skolnik

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cc: All Counsel via ECF

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Attorneys for Defendant and Cross-Claimant Rick Ross

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

NXIVM CORPORATION, f/k/a
EXECUTIVE SUCCESS PROGRAMS, INC.,
FIRST PRINCIPLES,

Plaintiffs,

-against-

THE ROSS INSTITUTE, RICK ROSS,
PAUL MARTIN, WELLSRING RETREAT,
INC., STEPHANIE FRANCO, MORRIS
AND ROCHELLE SUTTON,

Defendants.

Civil Action Index No. 2:06-cv-01051-KSH-
MF

Honorable Katherine S. Hayden, U.S.D.J.

DOCUMENT ELECTRONICALLY FILED

**DECLARATION OF
PETER L. SKOLNIK, ESQ.**

I, **PETER L. SKOLNIK**, hereby declare:

1. I am Of Counsel to Lowenstein Sandler PC, counsel for Rick Ross, The Ross Institute, Paul Martin and the Wellspring Retreat, Inc., in the above-captioned matter.
2. I do not know the current whereabouts of counterclaim defendant Kristin Keeffe.
3. Neither I nor anyone at Lowenstein Sandler, LLP has ever received any documents or other materials from Kristin Keeffe. The only things I have ever received from Ms. Keeffe are some e-mails, without attachments, concerning her then-current situation.

DECLARATION

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing statements are true.

/s/ Peter L. Skolnik
Peter L. Skolnik

Dated: May 2, 2014